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RUEHKO/AMEMBASSY TOKYO PRIORITY 1222
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RUEHBY/AMEMBASSY CANBERRA PRIORITY 9246
RUEHLO/AMEMBASSY LONDON PRIORITY 1806
RUEHCHI/AMCONSUL CHIANG MAI PRIORITY 5924
RUEATRS/DEPT OF TREASURY WASHINGTON DC PRIORITY
RUCPDO/DEPT OF COMMERCE WASHINGTON DC PRIORITY
RHEFDIA/DIA WASHDC PRIORITY
RUEAIIA/CIA WASHINGTON DC PRIORITY
RHEHNSC/NSC WASHDC PRIORITY
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C O N F I D E N T I A L SECTION 01 OF 03 BANGKOK 003520

SIPDIS

NSC FOR DENNIS WILDER AND LIZ PHU

E.O. 12958: DECL: 12/01/2018
TAGS: [PGOV](#) [KDEM](#) [KJUS](#) [ASEC](#) [CASC](#) [ECON](#) [EINV](#) [TH](#)
SUBJECT: THAI STALEMATE DRAGS ON, FOCUS SHIFTING TO COURT

REF: A. BANGKOK 3504 (LOOKING FOR WAY OUT)
[1](#)B. BANGKOK 2616 (COURT RULINGS)
[1](#)C. BANGKOK 2091 (CLOUDED FUTURE)

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Classified By: Ambassador Eric G. John, reason: 1.4 (b and d).

SUMMARY AND COMMENT

[1](#)1. (C) An explosive device injured dozens of participants in the anti-government People's Alliance for Democracy (PAD) gathering at the Government House compound on November 29. Citing safety concerns, a PAD co-leader called for supporters to decamp from Government House, although PAD may retain some presence there. PAD has thwarted police efforts to block the delivery of supplies for demonstrators at Bangkok's international airport, and police officials told the Embassy that they would not act forcefully against the demonstrators. The police feel that public support for PAD is waning. Over 10,000 pro-government protestors rallied in Bangkok, signaling dismay with an upcoming Constitutional Court ruling that will likely dissolve the People's Power Party (PPP) and remove Prime Minister Somchai from office. An American automobile executive informed the Embassy that some union workers at his Thai facility seemed to be taking their cue from PAD tactics and blockaded his plant, in response to a breakdown of negotiations on pay issues. PAD leaders have publicly discussed shutting down Thai seaports, and they appear to have some capability to do so. A top Foreign Ministry official told the Ambassador on December 1 that Thaksin was in Cambodia and might try crossing into Thailand on December 2. End Summary.

[1](#)2. (C) Comment: Our contacts have long expected the Constitutional Court to dissolve PPP. The case against PPP is based on election fraud committed by a single PPP executive, and, although party dissolution seems like a disproportionate sanction, this penalty appears constitutionally-mandated; it is unclear whether the Court has the discretion to spare the party, if it were inclined to do so (which we doubt). The Court ruling might allow PAD to declare victory and vacate its protest sites, but it also

should leave in place a pro-Thaksin government, meaning that PAD's ultimate objective will remain unfulfilled. Any progress PAD achieves toward its goal will increase the ire of the pro-Thaksin camp. End Summary and Comment.

BOMB INJURES DOZENS

13. (SBU) Reports continue of small explosions and infrequent gunfire in areas of Bangkok close to PAD protest sites. While most incidents have occurred without injuries, an explosive device that detonated at the Government House compound on the night of November 29 injured at least four dozen PAD supporters, although none died from their injuries. Citing safety concerns, PAD co-leader Chamlong Srimuang called publicly on December 1 for PAD supporters to decamp from the Government House compound and rally instead at the Bangkok airports, which remain in PAD hands. It appears the PAD will leave some guards in place at Government House overnight to prevent the authorities from regaining control, and PAD will continue to hold rallies there during the daytime.

14. (SBU) Over the weekend of November 29-30, the police set up a checkpoint blocking access to Suvarnabhumi international airport. In response, Chamlong called for PAD supporters to proceed from Government House to the airport, to challenge the police. When confronted, the police abandoned the checkpoint, which PAD supporters dismantled to ensure they could continue to supply their sympathizers at the airport with food and water. Separately, PAD guards shot at a media van approaching the Don Muang domestic airport on November 30.

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15. (C) RSO contacts in the Royal Thai Police (RTP) informed us they do not intend to take forceful action against PAD protestors at the airports. The RTP officials said they had no good options to resolve the situation; the use of force would entail "deaths and many injuries." (Note: While some PAD guards fit the profile of street thugs, many of the protestors at the airport are middle-aged, elderly, and/or women. End Note.) Our RTP contacts said they were willing to let the airport protests continue because it was turning public opinion against the PAD, and even some demonstrators were becoming disillusioned. The RTP is currently negotiating with the PAD, but the talks appear not to be substantive. (Comment: As in September, the declaration of a state of emergency for the airports on November 27 -- ref A -- appears to have carried with it little consequence. End Comment.)

REDSHIRTS RALLY AGAINST EXPECTED COURT RULING

16. (C) Over 10,000 pro-government demonstrators ("redshirts," affiliated with the "Truth Today" government-run television show, and with the United Front of Democracy Against Dictatorship -- UDD) gathered peacefully in Bangkok on November 30 to decry a seemingly imminent ruling by the Constitutional Court in party dissolution cases. These cases (ref B and C) stemmed from findings by the Election Commission and Supreme Court that executive board members of the pro-Thaksin People's Power Party, the Chart Thai Party, and the Matchima Thippathai Party violated election laws. Article 237 of the 2007 Constitution provides that such violations, if committed or even tolerated by party executives, trigger a presumption that the party sought to acquire state power by unconstitutional means and, therefore, the party can be dissolved by the Constitutional Court, with all its executives subject to a five-year ban on political activity. (Comment: Article 237 appears not to provide the Court with substantial discretion to spare the parties from dissolution; our pro-Thaksin contacts are certain the Court will dissolve PPP, whether or not the Court has leeway in this matter. End Comment.)

¶7. (C) A lawyer who works closely with Thaksin spoke pessimistically to us on December 1 about the upcoming verdict, saying the Court had not allowed PPP to present its evidence. (By contrast, prior to the May 2007 dissolution of the Thai Rak Thai Party (TRT), the Constitutional Tribunal handling that case held extensive hearings, although that took place under a different legal framework.) The PPP has prepared a backup party for pro-Thaksin legislators, but our contact predicted that redshirts in the North and Northeast -- the PPP's strongholds -- would vent their frustration by burning courthouses in those regions.

FEWER YELLOWSHIRTS IN BANGKOK

¶8. (SBU) After Thais began wearing yellow a few years ago to show support for King Bhumibol, PAD adopted the color for its movement. (Per a longstanding tradition, Thais associate yellow with Mondays; the King was born on a Monday.) While many Thais with office jobs routinely wear yellow polo shirts to work on Mondays, Embassy officers noted on December 1 a sharp decrease in the number of "yellowshirts" in central Bangkok. MFA staff separately remarked to us on the notable drop-off in yellow. (Comment: We believe this decrease reflects widespread dismay with the PAD's closure of the airports. End Comment.)

PAD INSPIRING AUTO UNION PROTEST

¶9. (C) PAD's protest tactics may have inspired union employees at a foreign automobile facility in Rayong, Thailand. A Ford Motor Company executive contacted the

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Embassy on December 1 to inform us that, after a breakdown of talks over compensation, union employees blockaded the AutoAlliance Thailand (AAT) plant throughout the day on November 27. (AutoAlliance Thailand is a joint venture of Ford and Mazda.) Although employees were able to dribble out of the facility, the (nonviolent) blockade continued as of December 1; the executive also informed us that several engines (presumably products, rather than plant equipment) were sabotaged. AAT has closed its facility until December

¶8. The executive stressed that the problems between the management and the union were not political, but he nevertheless believed the union leaders had taken a cue from the PAD, and he was surprised with what he considered an inadequate response from police officials. (Note: The Embassy reached out to a labor activist in touch with the union; he disputed some aspects of management's view but noted the union is "pretty militant." End Note.) The Ambassador raised this issue with the Foreign Ministry late December 1, and the Commercial Counselor spoke with the Governor of Rayong, who had dispatched a Vice-Governor to the scene.

THREAT TO SEAPORTS?

¶10. (C) Separately, police officers told RSO that PAD had the capability to follow through on recent public threats to interfere with the functioning of Thailand's seaports; or, PAD could disrupt the electricity supply to Bangkok. A high-ranking MFA official told the Ambassador recently that PAD had strong support from officials and employees in State Owned Enterprises. An Australian diplomat told us that retired diplomat Kasit Piromya, closely affiliated with PAD, recently confirmed that PAD continues to contemplate disrupting seaport operations, if necessary to further their goals. The police do not seem to have any contingency plan to protect the ports.

THAKSIN TO RETURN?

¶11. (C) After a December 1 meeting at the MFA (septel), MFA Permanent Secretary Virasakdi Futrakul in a private pull-aside told the Ambassador that Thaksin was in Cambodia, meeting with Hun Sen. Virasakdi said Thaksin might try to cross into Thailand on December 2. (Comment: It was not clear what Thaksin would do in Thailand or how long he would stay, but this would be a highly dramatic move, likely exacerbating the current polarization. End Comment.)
JOHN